

ORDINANCE NO. BL2020-401

An ordinance authorizing the approval of subpoenas issued on behalf of the Metropolitan Community Oversight Board, pursuant to Tennessee Code Annotated section 38-8-352, by resolution of the Metropolitan Council.

WHEREAS, on November 6, 2018, the citizens of Davidson County voted overwhelmingly to adopt a Metropolitan Community Oversight Board by Metro Charter amendment ("the Charter Amendment"); and,

WHEREAS, the Charter Amendment established that the Metropolitan Community Oversight Board would be endowed with subpoena powers afforded to other metropolitan agencies, boards, and entities identified in Section 18.10 of the Metro Charter; and,

WHEREAS, the Tennessee Legislature has voted to restrict the subpoena power of all community oversight boards by requiring that subpoenas: (i) be issued on behalf of the community oversight board by a majority vote of the local legislative body; and (ii) not be issued in the form of a blanket authorization, but must specify each document to be produced or witness to testify; and,

WHEREAS, the timely issuance of subpoenas is vital to the mission of the Metropolitan Community Oversight Board; and,

WHEREAS, the Metropolitan Council seeks to expedite this process to best of its ability; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this ordinance be approved.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 2.106 of the Metropolitan Code is hereby created as follows:

Chapter 2.106 –Community Oversight Board

2.106.010 –Subpoenas

Subpoenas issued pursuant to the provisions of Tennessee Code Annotated Section 38-8-352 may be approved by resolution of the Metropolitan Council receiving at least 21 affirmative votes.

Section 2. That this ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

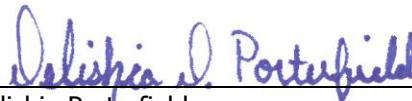
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